

U.S. Patent Application Serial No. **09/813,129**
Amendment filed August 27, 2004
Reply to OA dated May 5, 2004

REMARKS:

Claims 1 and 2 are currently being examined. No claims have been amended. No new claims have been added. It is respectfully believed that no new matter has been introduced.

Claims 1 and 2 stand rejected under 35 USC 103(a) as obvious over USP 6,280,792 (**Tochishita '792**) in view of USP 4,116,161 (**Steube '161**) and/or USP 3,636,304 (**Passmore '304**).

Applicants respectfully traverse this rejection.

US Serial No. 09/813,129 and **Tochishita '792** were, at the time the invention of US Serial No. 09/813,129 was made, jointly owned by Sumitomo Special Metals Co., Ltd.

In view of the joint ownership described above, Applicants respectfully submit that **Tochishita '792** is disqualified as prior art.

Thus, Applicants respectfully submit that this rejection should be withdrawn.

U.S. Patent Application Serial No. **09/813,129**
Amendment filed August 27, 2004
Reply to OA dated May 5, 2004

In view of the aforementioned remarks, claims are in condition for allowance, which action, at an early date, is requested.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP

Darren R. Crew

Darren R. Crew
Attorney for Applicants
Reg. No. 37,806

DRC/lkf

Atty. Docket No. **010337**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

Enclosure: Petition for Extension of Time